

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**CLARA S. MITCHELL, as Personal Representative
of Bobby Mitchell, dec., et al.**

Plaintiff,

v.

CIVIL ACTION NO. 3:05cv1210-B

DEBBIE A. SWEET,

Defendant,

**PLAINTIFF'S RESPONSE TO DEFENDANT STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY'S RENEWED MOTION FOR
ADJUDICATION OF MEDICARE'S SUBROGATION INTEREST**

COMES NOW the plaintiff, Clara S. Mitchell, as the personal representative of Bobby L. Mitchell, deceased, and responds to "Defendant State Farm Mutual Automobile Insurance Company's Renewed Motion for Adjudication of Medicare Subrogation Interest" as follows:

1. Plaintiff has no objection to State Farm's motion and, in fact, supports its request for adjudication of the Medicare subrogation issue; and,
2. Because the claim in this lawsuit has been settled between the plaintiff and defendant since last year and resolution of the Medicare subrogation issue is needed to bring this matter to a conclusion, plaintiff requests this Court to set a hearing on this matter at its earliest convenience.

Respectfully submitted,

/s/Roger L. Lucas
ROGER L. LUCAS
AL. Bar Id: ASB 2555 S80R

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26th day of April 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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